



UNITED STATES OF AMERICA )

v. )

RAYMOND ALLEN GROSS )

Case No. 3:21-CR-00500-B (2)

### **Report of Violation of Conditions of Pretrial Release**

COMES NOW Wayne Poton, Senior U.S. Probation Officer, presenting a report to the Court upon the conduct of defendant, Raymond Allen Gross, who was placed on pretrial release supervision by the Honorable U.S. Magistrate, Judge David L. Horan, sitting in the Court at Dallas, on August 27, 2021, under the following conditions:

(7m) The defendant must not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

The undersigned has information that the defendant has violated such conditions in each of the following respects:

On September 29, 2021, Raymond Gross submitted a urinalysis specimen which returned presumptively positive for cocaine and marijuana. Mr. Gross was confronted by U.S. Probation Officer, Christen Rudd (USPO Rudd), on October 5, 2021, in which he denied any cocaine and marijuana usage. On October 10, 2021, Alere Toxicology Services, Inc. provided results confirming the positive urinalysis specimen submitted on September 29, 2021, for cocaine and marijuana. Mr. Gross was contacted again by USPO Rudd on October 12, 2021, to discuss lab confirmation results in which he further denied any usage of cocaine or marijuana. Mr. Gross did admit to attending a party recently in which cocaine and marijuana were present.

USPO Rudd recommends that Mr. Gross be allowed to continue on pretrial supervision with an increase in his urinalysis testing frequency, referral to outpatient substance abuse treatment and Cognitive Behavioral Therapy, and a modification of conditions to include curfew as directed by the Pretrial Services Officer. On October 13, 2021, Assistant United States Attorney Lindsey Beran was contacted and stated she was agreeable to the modification of conditions of release to include curfew as directed by the Pretrial Services Officer. Additionally, both Mr. Gross and his attorney, Paul Lund, are amenable to the modification as evidenced by their signatures in the Consent to Modify Conditions of Release form (attached).

The undersigned suggests to the court that the Order Setting Conditions of Release be modified to include curfew as directed by the Pretrial Services Officer and pay for all or part of the cost of location monitoring as determined by the Pretrial Services Officer.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 19, 2021

Approved,

s/Wayne Poton

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Senior U.S. Probation Officer

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s/Bruno Perez

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Supervising U.S. Probation Officer

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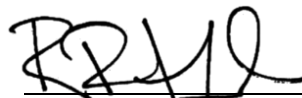
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### Order

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Having considered the report of the Probation Office pertaining to possible violations by defendant, Raymond Allen Gross, of his/her conditions of pretrial release, the court ORDERS that:

- ☐ No action be taken.
- ☒ The Order Setting Conditions of Release is modified to include the following:
  - (7p) The defendant must participate in one of the following location monitoring program components and abide by its requirements as the pretrial services officer or supervising officer instructs: (X) Curfew. You are restricted to your residence every day as directed by the pretrial services office or supervising officer; pay for all or part of the cost of location monitoring as determined by the Pretrial Services Officer.
- ☐ A summons be issued and the defendant appear before a judge of this court to determine whether his/her conditions of pretrial release should be revoked.
- ☐ A violator's warrant be issued, and the above-named defendant be arrested forthwith and brought before a judge of this court to determine whether his/her conditions of pretrial release should be revoked. Petition and warrant sealed and not be distributed to counsel of record until effectuated.
- ☐ The office of the U.S. Attorney for the Northern District of Texas file a motion to revoke the conditions of the defendant's pretrial release, consistent with the information contained in the foregoing Report, and take such steps as are necessary to present such motion at the hearing thereon.
- ☐ File under seal until further order of the Court.

  
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Rebecca Rutherford  
U.S. Magistrate Judge

October 19, 2021  
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Date